

**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY**

NSTAR Electric Company Standby Rates

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DTE 03-121

**MOTION OF THE WESTERN MASSACHUSETTS INDUSTRIAL
CUSTOMERS GROUP TO MODIFY PROCEDURAL SCHEDULE**

On February 10, 2004, the Hearing Officer established a procedural schedule in this proceeding. The schedule contemplated filing of a notice of intent to file a direct case by February 27, 2004 and Intervenor direct testimony on March 16, 2004 and rebuttal testimony by NSTAR on April 13, 2004.

On February 24, 2004, the Department of Telecommunications and Energy ("Department") issued a final order in Distributed Generation, DTE 02-38-B. The Order at 36-38 acknowledged that the Department intends to treat the NSTAR proceeding as a policy setting case for standby rates. The Department indicated it would address issues including but not limited to, whether: (1) a distribution company should recover its costs through fixed or variable charges; (2) standby rates should reflect embedded or incremental costs; and (3) a distribution company should offer firm and non-firm standby service.

All of the distribution companies filed and were allowed to intervene in the case. None of the distribution companies filed initial comments. It now appears that some or all of the distribution companies intend to file a direct case.

Under the current procedural schedule the non-utility intervenors will have no opportunity to respond to the direct testimony filed by the other distribution utilities.

In addition, several intervenors have propounded extensive discovery to the NSTAR Companies. Responses to these requests are required to be able to review and analyze them and to present a full and complete direct case.

The Western Massachusetts Industrial Customers Group ("WMICG") hereby requests that the current procedural schedule be modified to extend the date for filing intervenor initial pre-filed testimony one week until March 23, 2004 and to provide for the filing of intervenor answering testimony on April 13, 2004, the date now scheduled for Company rebuttal. The Company rebuttal testimony would then be due one week later on April 20, 2004. All other dates would remain the same.

The foregoing modification of the Procedural Schedule is required to protect the rights of all parties.

Dated: February 27, 2004

Respectfully submitted
Western Massachusetts Industrial Customers Group
by its attorneys

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